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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1869-2025
DECIDED ON: 15.01.2025

ONKAR SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Amtiaz Vandhu, Advocate for
Mr. Karan Bhardwaj, Advocate
for the petitioner.

Mr. Jaspal Singh Guru, AAG Punjab

SANDEEP MOUDGIL, J (ORAL)

This petition has been filed under Section 528 of BNSS, 2023 with a prayer for directing the respondent no. 1 to 3 to take appropriate legal action against respondent no. 4 and 5 who are trying and making an attempt to forcibly take away the vehicle of the petitioner bearing registration number (PB 05 AP 7957) with the help of recovery agents and henchmen while it was running on road, as the petitioner has already paid substantial loan amount and this conduct of respondent no. 4 and 5 is against the mandate of constitutional bench of Hon'ble Apex court in "Citicorp Maruti Finance Ltd. v/s S Vijayalakshmi 2012(1) SCC 1" and in "ICICI Bank Ltd. Vs Parkash Kaur and others (JT-2007(4) SC 39), and by this Hon'ble Court in Narinder Kumar Singla Vs State of Punjab (2006 (3) RCR 890), M/s Sundaram Finance Ltd v/s Raj Kumar & others 2011 (4) RCR (Crl) 890.'

At the outset, learned counsel for the petitioner submits that he will be satisfied, in case a direction is issued to respondent No.2 to decide the representation dated 10.12.2024 (Annexure P-2) within a time bound manner.

Without adverting to the merits of the case, the respondent No.2- Commissioner of Police, Ludhiana is directed to consider and decide the representation dated 10.12.2024 (Annexure P-2) by passing a speaking order in accordance with law within a period of four weeks from the date of receipt of certified copy of this order.

A copy of order so passed be supplied to the counsel for the petitioner within one week thereafter.

Petition stands disposed of in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

15.01.2025

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>